

**NORTHEASTERN GREAT BASIN
RESOURCE ADVISORY COUNCIL
MEETING MINUTES
June 18, 1999
Ely, Nevada**

RAC Members

Present:	Category
Larry Barngrover	(3)
Steve Boies	(1)
Bob Edwards	(1)
Brent Eldridge, Chairman	(3)
Lynn Huntsinger	(3)
James Matheus	(2)
Merlin McColm	(2)
Bob McGinty	(2)
DeLoyd Satterthwaite	(1)

Bureau of Land Management (BLM) representatives:

Bob Brown	Wild Horse Biologist, Ely
Helen Hankins	Field Manager, Elko
Gene Kolkman	Field Manager, Ely
Jo Simpson	Chief, External Affairs, NSO
Jeff Weeks	A.F.M. Battle Mountain
Curtis Tucker	Special Projects Coordinator, Ely
Anita Swails	Office Automation Clerk, Ely

The June 18, 1999 meeting of the Northeastern Great Basin Resource Advisory Council was called to order by Chairman Brent Eldridge on Friday at approximately 9:15 a.m. Welcome and introduction of the Resource Advisory Council (RAC) members, and the Bureau of Land Management (BLM) representatives. Chairman Eldridge and Curtis Tucker

determined a quorum.

The previous RAC minutes are unavailable at this time and will be completed shortly for review and approval.

Chairman Brent Eldridge opened discussion involving Standards and Guidelines relating to wild horses and burros.

I. STANDARDS & GUIDELINES WILD HORSE & BURRO:

Lynn Huntsinger read from the Mohave Southern (MOSO) Standards and Guidelines pertaining to range land health management and protection of the environment. Lynn made a suggestion to review the intent and meaning of our Standards and Guidelines and evaluate any potential areas of conflict.

Chairman Brent Eldridge added that it is up to the land management agency to implement and execute the appropriate standards.

Bob McGinty questioned whether our current Standards and Guidelines are adequate as written, addressing range land health. Is there a need to have separate guidelines for wild horses? Chairman Brent Eldridge clarified that the standards addressing range land health are generally covered. A set of guidelines for management of wild horses should be separate from livestock and grazing. There was some deliberation on specific wording for the standards and guidelines to establish sufficient understanding and distinctions between standards for rangeland health and guidelines for livestock.

Merlin McColm asked when the original standards were established and if inclusive to wild horses at that time. Answer: The standard would eventually include many species; the main focus was on rangeland health and guidelines for livestock. Wild horses were discussed, but not covered within that specific guideline.

Jeff Weeks added that the regulations for Standards and Guidelines are within the livestock grazing regulations. There was an understanding that in the future, this RAC would set up additional guidelines to be more comprehensive.

II. RAC CHARTER RENEWAL:

Chairman Brent Eldridge asked if there were any alterations or questions relating to the Charter. There were none. Chairman Eldridge explained the responsibilities of this advisory board as outlined in the Charter.

Lynn Huntsinger nominated renewal of the Charter as it is currently written. The motion was seconded and all members were unanimously in favor.

III. FIELD MANAGER REPORTS:

Jeff Weeks said the proposed Multiple Use Decisions (MUD's) have been mailed on the Diamonds Complex, with copies available to RAC members. A tour of the Diamonds Complex is tentatively scheduled for July 7 and 8, 1999.

Numerous recommendations submitted by permittees have been accepted by the BLM. Basically out of seven allotments, three have stayed the same [in Animal Unit Months (AUM's)]. The difference is that certain rest rotation systems have been implemented [to take care of issues in the mountains (with riparian) and wildlife habitat].

One allotment received an increase in AUM's due to extensive improvements which had been accomplished. The ranch was purchased about five years ago. Additional fences and rest rotation systems have been realized. Twenty to thirty range improvement projects were proposed for all of the combined allotments.

Merlin McColm asked Jeff Weeks what the time span for improvements and increases of AUM's is in the allotments. Answer: Data was collected over about a ten year period of time on this particular allotment. [The increase was mainly for the valley region not the mountain area, due to riparian and wildlife concerns]. This particular expansion was specific to part of that allotment.

Merlin McColm inquired if these enhancements incorporated any cultural improvements. Answer: The forage [crested wheat grass seedings] in existence was adequate. The changes made in grazing management were essentially to provide for rest rotation systems to support improved forage. The significant item to recognize is when the permittee [on this particular allotment] came in five years ago, many improvements in their grazing management were applied. Downed fences were repaired and rest rotation systems were achieved. These actions justified an increase for part of the allotment.

Merlin McColm understood that crested wheat acted as a temporary treatment to encourage the re-growth of native grasses. Jeff Weeks emphasized that native grasses can come back to the allotments with proper rangeland and grazing management.

Steve Boies asked if there are any allotments in the Diamonds Complex that may incur a decrease in AUM's attributed to wild horses. Jeff Weeks responded that any decrease is partially due to improper livestock management, not solely attributed to land degradation by wild horses. Gene Kolkman and Jeff Weeks explained the reduction of wild horse herds within the Diamonds Complex [which includes three Herd Management Areas (HMA's) for a total of 1,200 head]. In one wild horse gather the numbers came into compliance with the interim established Appropriate Management Level (AML) for that complex. Steve asked what the maximum AML for herd management is in this area. Jeff replied that the AML for this particular area is 245 in total [on the Battle Mountain side it is 161].

Merlin McColm asked about the time interval period to increase carrying capacity and re-introduce livestock to the units again. Is the ten year interval [after an increase in AUM's for the permittee] a standard figure that is used? Jeff Weeks discussed Russell Ranches and the transfer that created some AUM reductions in those allotments (in 1994). Gene Kolkman said in theory, evaluations could be performed whenever situations warrant it. Ideally, the evaluations would be accomplished annually, or at least every three years on a regular basis as conditions change.

Steve Boies asked if the AML's on wild horse gathers are effectively reached. Jeff answered the numbers are typically below by approximately 20% of AML. Over a three to five year period the numbers will rise over 20% of AML.

Chairman Brent Eldridge referred to Guideline number 2.7 on setting AML's. James Matheus raised an option of re-writing a more specific guideline in reference to wild horse herds. An innovative approach in managing wild horses which would allow the program to pay for itself is needed. Brent stated that this committee has limited authority but can develop specific guidelines to assist the BLM and the Interior's view on adoptable wild horses until we can effect some legislative change.

Bob McGinty suggested we refer to our Standards and Guidelines under the riparian and habitat topics. Can this RAC insert, impose or amend exact wording in the guidelines with regard to wild horse herd populations? Brent Eldridge, Lynn Huntsinger, Steve Boies and Merlin McColm deliberated on ways the guideline could be written. There was some discussion on the writing to amend the current guideline.

Jeff Weeks commented that wild horse adoptions are presently up. Helen Hankins asked for any marketing ideas in respect to increasing wild horse adoptions. We need more proactive action by Congress.

Merlin McColm asked if there is any correlation in some of the past programs with numbers of adoptable horses and advertising dollars. Jo Simpson said the Internet Wild Horse Adoption Program applies advertising dollars in a positive way. There was some discussion between Jo and Gene Kolkman over the funding to the BLM [which amounts to approximately \$15,000] to get the foundation layed. It would be helpful to have a wide effort coalition which could include: environmental groups, Nevada Cattlemen, Sierra Club, Nevada Wildlife Coalition and Nevada Division of Wildlife to add a dimension that would bring in awareness and provide education on the issues.

Helen Hankins added that we definitely benefit from the valuable knowledge of these national groups in bringing out a proper perspective to the wild horse issues. We need support of the various environmental groups to say we are doing the right thing in horse management in some hostile desert conditions.

Lynn Huntsinger commented that our standards must be absolutely defensible from an environmental standpoint. If wild horse management is argued against, essentially the argument is also against protecting the environment. Lynn read

Standards one and three [in the MO SO Standards and Guidelines] which are clear both in content and understanding.

Steve Boies suggested that one guideline to further define is number four. Larry Barngrover commented that there was some dissatisfaction that standards had not been reached.

There was some deliberation with Larry Barngrover, Steve Boies and Brent Eldridge over alterations and changes to implement with this particular Guideline. Under Guideline 1.1 we would incorporate two guidelines into a singular guideline to include both livestock grazing and wild horse management practices rather than solely management practices. Jeff Weeks and Gene Kolkman contributed their ideas in converting this particular guideline.

James Matheus asked about setting AML's on naturally sustainable resources. Jeff Weeks said there are certain laws limiting the BLM in what kind of management actions they can take in the management of wild horse populations. There was quite a bit of conference over different aspects of managing resources and wild horses. According to Jeff, the risks involved when the guidelines are combined, include greater possibility for confusion and some possible misinterpretation.

Two types of management practices are: 1) Setting AML's on what is naturally sustainable, then once the numbers are set and improvements are determined, 2) Designate for multiple use. The guidelines represent the tools to achieve the Standard.

Bob McGinty said the management of wild horses follows a different paradigm. Lynn Huntsinger made a motion to proceed using the basic Standards and Guidelines and incorporate a separate guideline for livestock, wild horses and burros.

Helen Hankins gave a brief report on the Big Springs exchange [which over a three and one-half year process, has recently been completed and recorded]. On June 26, 1999, there will be a meeting for the proposed decisions regarding the Salmon River allotment evaluation. John Marvel (in Idaho), has a significant interest in this allotment and has said he will appeal any decisions which are made on this allotment.

There are three mining Environmental Impact Statements (EIS's) which will be published in draft for Leaville, South Operations area, and Post Betsy supplemental EIS. They have also issued two patents to NDOT for a total of twenty acres, one for a gravel pit and one for a maintenance station, near West Wendover.

The permit renewals for grazing have been completed, (except for one which is currently being processed). There is interest by the public (recently in one instance, volunteer firemen at Jiggs) to define what is appointed wilderness and how multiple use issues are affected.

Bob McGinty commented that some Elko County community members are opposed to any acquisition of stock water rights. Some of the county commissioners

believe that the BLM cannot acquire stock water rights [under Senate bill 96]. It has been confirmed [through the field Solicitor in Salt Lake as well as the Attorney General's office in Carson City] that in fact, that the BLM can acquire stock water rights through Quit Claim deeds or transfers.

James Matheus asked about the status of the Columbia River Basin project [EIS] and if it is "dead" for Nevada. Helen Hankins responded that Nevada, Utah and Wyoming have been officially excluded from the project. It does not apply to Northern Nevada at all. Any further activity will pertain to the following states: Washington, Oregon, Idaho, and Montana. This assignment has been revamped and there is very little interest in congressional funding for the implementation of this project.

Jeff Weeks commented about the sparse attendance and turn-out of our RAC members at the recent Fish Creek HMA tour. Improved participation is necessary by the RAC members if these tours are to continue. Bob McGinty suggested canceling any tours with less than a fifty percent commitment to take part in the tours. Appreciation was expressed for those RAC members which did participate in the field tours.

IV. PUBLIC COMMENT PERIOD:

Chairman Brent Eldridge invited the RAC members, and attendees to add any comments or questions.

DeLoyd Satterthwaite commented on the Ellison Ranching Company and some confusion/misconception over the interpretation of the Standards and Guidelines for livestock grazing. Over the last five years, there has been a concerted effort to write allotment evaluations on this ranch. The intent was to address management and take care of the high priorities in natural resources. During that period of time, it was established that this would be a long-term program comprising about five years. This was agreed upon with NDOW, BLM, USFW and the ranchers involved. There was no interim program developed, due to the higher priorities with the Lahonton Cut Throat Trout.

Under the current grazing regulations, [and interpretation of the Standards and Guidelines] appropriate action must be made (on the ground) by the next grazing season. In other words, the five-year evaluation is flushed and the plan of action must be re-evaluated. Originally in this particular allotment evaluation, primary areas to concentrate on included: implementation of the management plan and construction of fences for rest rotation systems. Conversely, it appears that the interpretation now reflects that every spring, riparian area, and each seepage on the entire allotment must be corrected by the next grazing season.

Helen Hankins corrected the misconceptions and stated what the regulations define regarding appropriate management action. The BLM's policies involve taking proper action to remedy the problems that extend beyond submitting a written plan. Appropriate actions can involve a range of activities such as: enclosure of springs, changing the season of use, installation of additional riders, salting, and/or use of electrical fencing. Ultimately, some effort of tenable action must be made for on-the-ground improvements. Waiting five years without initiating action is not in compliance with the regulations, because potentially there could be an additional five years of degradation to the resources.

The State Director and various field managers have discussed at length (for approximately the last six months) what comprises appropriate actions by the BLM and the permittees. There must be an appreciable effort to achieve any appropriate actions (especially in riparian areas), due to the higher Standard to which we are held accountable.

DeLoyd Satterthwaite responded that improvements cannot fully be achieved in a one year period of time. He could fence sensitive areas but is limited, due to obstacles in obtaining the proper water rights permit to get the water from inside the enclosure; outside the enclosure. He cannot stay on the seeps and creeks after July 15, 1999, because of over extending utilization.

Helen Hankins reiterated the expectations of the BLM which involve taking realistic steps toward achieving solutions by appropriate actions. There is no expectation or demand to completely correct all of the problems within the allotments in just one year. Initiating appropriate actions as a permittee in cooperation with the BLM, toward progress, is the first necessary step.

Gene Kolkman defined what reasonable and practical appropriate actions are. A determination to get started on a project such as: fixing a series of fences and pipelines (even if it takes five years to get them in place), [taking a reasonable appropriate action] moving herds, or whatever is realistic; knowing that it is not the final solution. The essential ingredient is to do something, rather than nothing.

DeLoyd Satterthwaite asked if all of the BLM agencies in Nevada interpret this definition of appropriate actions the same way. The answer: Yes. The question was then asked by DeLoyd if all of the states understand it the same way. The answer: Unknown. Gene Kolkman read a paragraph out of the RAC's Standards and Guidelines regarding appropriate management practices. He emphasized what interim measures included under reasonable expectations, and to get moving in the right direction.

Helen Hankins said (through knowledge with her staff), that some interim measures had been built in and exist regarding the allotment evaluations. DeLoyd Satterthwaite confirmed this adding that the expectation of fulfilling these measures

could not be accomplished by the following grazing season. Helen stressed the relevance of taking appropriate actions, rather than achieving significant progress by the next grazing season. The BLM is requesting that appropriate actions must be taken in order to change a downward trend.

DeLoyd Satterthwaite read a paragraph from a copy of past RAC minutes regarding a grazing proposal for the Squaw Valley allotment outlined in the draft evaluation. He said once work is initiated on the management selection report, that starts the clock ticking immediately. Helen Hankins explained that actions must be taken, to start the process toward meeting the Standard; not that the Standard would be met by the following grazing season. Gene Kolkman said determining the cause and fix of the problem is to be followed up by initiating reasonable interim actions.

Chairman Brent Eldridge commented on evaluations occurring statewide on allotments in each and every district. When the districts encounter problems with allotments, initiating steps for improvement must be made in order to meet the Standards.

Gene Kolkman said places where the determination has been established in which significant progress is not being accomplished, appropriate action must occur. The interim period is where we get “hit”. The appropriate action is going to be a case by case situation for what is considered to be reasonable.

Helen Hankins explained the appropriate interim actions which are transpiring at the Salmon River allotment. In consideration of the initiative that the permittees are demonstrating in this case, and the MUD to follow, it is possible that the BLM’s decision will be upheld.

To repeat, appropriate action and significant progress are not synonymous. The BLM is required to take appropriate action when the Standards are not being met; the actual achievement of the Standard and significant progress may be years ahead. As long as improvements are being accomplished; that is the fundamental issue.

James Mathues said that any steps toward significant progress is considered appropriate action. Each allotment has a different judgement and action for what is regarded as progress in terms of appropriate action. The scientific data which back-up decisions goes hand-in-hand with suitable actions.

Chairman Brent Eldridge asked for any additional public comments and/or questions. There were none.

V. ADDITIONAL ISSUES:

Lynn Huntsinger read the revisions in adjusting the current Guideline in the

preamble of the Standards and Guidelines for the Northeastern Great Basin. The revised version read, *“The RAC recognizes the limited management options for wild horses and burros. Unlike domestic stock that can be husbanded and controlled regularly, or wildlife that may be harvested, free-roaming wild horses and burros must be managed to achieve a sustainable relationship with land and resources year-round.”*

The RAC members contributed their thoughts and ideas in altering this specific Guideline.

Lynn Huntsinger made a motion to tentatively, preliminarily agree to the changes that have been agreed on, pending a more permanent Guideline at a future date. The motion was seconded and all were in favor until the formal change is executed. Jo Simpson and Lynn will work together on finalizing this Guideline.

The next NEGBRAC meeting is scheduled for Monday morning at 9:00 a.m. September 27, 1999 at the BLM in Elko, Nevada. There was a brief discussion on possible agenda items for the next meeting.

Chairman Brent Eldridge concluded the NEGBRAC meeting at approximately 5:00 p.m. and everyone was dismissed.

Minutes by:

Anita Swails, Office Automation Clerk, Ely